

Occupational Safety Competency 2.2

Competency 2.2 Occupational Safety personnel shall demonstrate a working level knowledge of the organization and application of Occupational Safety and Health Administration Regulations.

1. Supporting Knowledge and Skills

Scan the listed documents.

- 29 CFR 1904, *Recording and Reporting Occupational Injuries*
- 29 CFR 1910, *Occupational Safety and Health Standards*
- 29 CFR 1915, *Shipyards Employment*
- 29 CFR 1917, *Marine Terminals*
- 29 CFR 1918, *Safety and Health Regulations for Longshoremen*
- 29 CFR 1926, *Safety and Health Regulations for Construction*
- 29 CFR 1928, *Occupational Safety and Health Standards for Agriculture*

NOTE: The list of CFRs above are a representative sample of CFRs and are not included for the information content.

2. Self-Study Activities (corresponding to the intent of the above competency)

Below are two web sites containing many of the references you may need.

Web Sites		
Organization	Site Location	Notes
Department of Energy	http://wastenot.inel.gov/cted/stdguido.html	DOE Standards, Guides, and Orders
OSHA	http://www.osha-slc.gov/	OSHA documents and search engine
U.S. House of Representatives	http://law.house.gov/cfr.htm	Searchable Code of Federal Regulations

EXERCISE 2.2-A Using the documents as needed, state their purpose, scope, and application.

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Read 29 CFR 1910, *Occupational Safety and Health Standards*, “Explanation,” page v.

EXERCISE 2.2-B Discuss the organization of the *Code of Federal Regulations* and the *Federal Register* in terms of titles, chapters, parts, and sections.

Read 29 CFR 1910, *Occupational Safety and Health Standards*, “Explanation,” page v.

EXERCISE 2.2-C Discuss the relationship between the *Code of Federal Regulations* and the *Federal Register* in terms of determining the latest version of any rule.

EXERCISE 2.2-D Discuss the methodology for determining whether a *Code of Federal Regulations* volume has been amended by using the *List of CFR Sections Affected (LSA)* and the “Cumulative List of Parts Affected.”

Read 29 CFR 1990.133, 1990.141 and 1990.147.

EXERCISE 2.2-E Discuss the differences between Requests for Information, Advanced Notice of Proposed Rulemaking (ANPR), Notice of Proposed Rulemaking (PR), and a Final Rule as they relates to regulatory entries in the *Federal Register*.

3. Summary

The *Code of Federal Regulations* (CFR) sets the legal requirements for various actions for which the DOE employee may be held liable. Requirements under the CFR have the impact of federal law. As a DOE employee, you need to know how to use both the CFR and the *Federal Register* in order to find the latest or newest version of the requirements they contain.

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4. Exercise Solutions

EXERCISE 2.2-A Using the documents as needed, state their purpose, scope, and application.

ANSWER 2.2-A

- 29 CFR 1904 establishes recordkeeping and reporting requirements for occupational injuries and illnesses.
- 29 CFR 1910 establishes OSHA standards based on national consensus.
- 29 CFR 1915 establishes OSHA standards for shipyard employees and any related employees.
- 29 CFR 1917 applies to employment within marine terminal and activities within or associated with marine terminals.
- 29 CFR 1918 establishes safety and health standards for long shoring activities with the intent to carry out Public Law 85-742.
- 29 CFR 1926 establishes safety and health standards for construction under Section 107 of the *Construction Work Hours and Safety Standards Act*.
- 29 CFR 1928 establishes OSHA standards for agricultural operations.

EXERCISE 2.2-B Discuss the organization of the *Code of Federal Regulations* and the *Federal Register* in terms of titles, chapters, parts, and sections.

ANSWER 2.2-B The CFR is divided into 50 titles which represent broad areas subject to federal regulation. Each title is divided into chapters that usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas. Parts are subdivided into sections.

EXERCISE 2.2-C Discuss the relationship between the *Code of Federal Regulations* and the *Federal Register* in terms of determining the latest version of any rule.

ANSWER 2.2-C The *Code of Federal Regulations* is kept up to date by the individual issues of the *Federal Register*. The two publications must be used together to determine the latest version of any given rule.

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EXERCISE 2.2-D Discuss the methodology for determining whether a *Code of Federal Regulations* volume has been amended by using the *List of CFR Sections Affected (LSA)* and the "Cumulative List of Parts Affected."

ANSWER 2.2-D To determine whether a CFR volume has been amended since its revision date (on the front cover), consult the *List of CFR Sections Affected (LSA)*, which is issued monthly, and the "Cumulative List of Parts Affected", which appears in the "Reader's Aid" section of the daily *Federal Register*. These two lists will identify the *Federal Register* page number of the latest amendment of any given rule.

EXERCISE 2.2-E Discuss the differences between Requests for Information, Advanced Notice of Proposed Rulemaking (ANPR), Notice of Proposed Rulemaking (PR), and a Final Rule as they relate to regulatory entries in the *Federal Register*.

ANSWER 2.2-E Using the process for adding a substance to the list of carcinogens (substances that may cause cancer), a Request for Information (ROI) may published in the Federal Register requesting information concerning the proposal. (Other sources and methods for gathering information are also used. Information can be submitted voluntarily by manufacturers, research groups, colleges, etc., or can be requested from specific subject matter experts by OSHA, and an ROI is not published.)

The Advance Notice of Proposed Rulemaking is published within 30 days after OSHA initiates a study concerning the feasibility of specific standards for a potential carcinogen. Actual rulemaking begins with the Secretary of Energy publishing a Notice of Proposed Rulemaking in the *Federal Register*, providing a 60-day comment period.

After hearings are held and a decision is made, there is a 120-day period in which the results must be published in the *Federal Register*; either a final rule, a statement that a final rule will be issued in the future, or a statement that a final rule will NOT be issued and any reasons for the nonissuance will be published.